

Patent

Docket No.: 48924US031

In The United States Patent and Trademark Office

In re Application of:

Kenneth L. Smith et al.

Serial No.: 10/039,103

Filed: Jan. 4, 2002

For: FLEXIBLE CUBE-CORNER
RETROREFLECTIVE SHEETING

Group Art Unit: 2872

Examiner: Phan, J.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENTCommissioner for Patents
Washington, DC 20231

Dear Sir:

Applicants wish to advise the Examiner that the assignee of the present application has filed suit against Reflexite Corporation regarding infringement of parent U.S. Patent Nos. 5,450,235 (Smith et al.), 5,988,820 (Huang et al.), and 6,350,035 (Smith et al.). The litigation is in the United States District Court for the District of Minnesota and has been accorded case no. 020-CV-1251 ADM/ARB.

Pursuant to 37 CFR §1.56 and §1.97-1.98, enclosed please find a completed form PTO-1449 citing an additional reference submitted for consideration by the Examiner during examination of the above-referenced patent application. A copy of the reference cited is enclosed.

The reference, which is entitled "Reflexite's Response to 3M Letter Asserting Infringement of U.S. Patents 5,450,235 and 5,988,820", consists of pertinent portions of a document submitted to 3M by the defendant Reflexite Corporation setting forth allegations that certain cube corner sheeting product(s) were placed on sale in the United States more than one year before the earliest effective filing date of the present application. The document was submitted to 3M in the context of settlement discussions prior to commencement of the lawsuit. If further information concerning this reference is desired, kindly contact the undersigned.

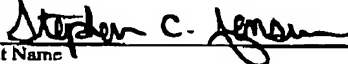
Applicants cannot independently verify the structure and composition of the alleged product construction or whether such product constitutes prior art to the present invention. Applicants reserve the right to challenge such a finding.

Applicants request consideration of this additional reference by the Examiner in regard to the present application, and request that the Examiner initial and return the enclosed Form PTO-1449.

Also attached hereto is a courtesy copy of a prior Information Disclosure Statement cover letter submitted in one of the parent applications on or about March 14, 1997 by my colleague Mr. Karl Hanson, which includes a discussion of already-cited Technical Report Nos. 9077 and 9078.

Please charge to Deposit Account No. 13-3723 the fee specified in 37 CFR § 1.17(p), and any additional fee(s) that may be due in connection with this Information Disclosure Statement.

Respectfully submitted,

Registration Number	Telephone Number	Signature
35,207	651-736-3369	
Date		Print Name
Dec. 9, 2002		Stephen C. Jensen

Office of Intellectual Property Counsel
3M Innovative Properties Company
P.O. Box 33427
St. Paul, Minnesota 55133-3427
Facsimile: (651) 736-3833

Form PTO-1449 (modified)

List of Patents and Publications for Applicant's

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Atty. Dock. No.

48924US031

Serial No.

10/039,103

Applicant

Kenneth L. Smith et al.

Filing Date:

January 4, 2002

Group:

U.S. Patent Documents

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Foreign Patent Documents

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Other Art

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U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date if App.
	A1						
	A2						
	A3						

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1						
	B2						
	B3						

Other Art (Including Author, Title, Date, Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C6	"Reflexite's Response to 3M Letter Asserting Infringement of U.S. Patents 5,450,235 and 5,988,820" (pertinent portions), February 4, 2002.

Examiner:

Date Considered:

EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.